



**THE
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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOME DEPARTMENT

Notification

Jammu, the 12th April, 2018.

SRO-165.—Whereas, on 12-02-2011, Incharge Police Post, Frisal conducted checking of guard deployed at Punjab National Bank, Frisal, Yaripora. During the perusal of guard book, a report vide DD No. 05 dated 08-12-2011 about missing of SLR Gun bearing No. 16044591 issued to Constable Feroz Ahmad No. 558/Kgm, was found entered in the said book. During the inspection/checking of arms and ammunition allotted to

the said guards personnel, the weapon SLR was found missing and none of the guard personnel could justify the same ; and

Whereas, a docket was submitted by Incharge Police Post, Frisal to S. H. O., Police Station, Yaripora regarding the loss of the weapon and for registration of case etc. ; and

Whereas, on receipt of this information case FIR No. 10/2011 under section 409 RPC, 30 Police Act, 1983 read with 03 of Police Enhanced Penalties Ordinance, 2005 (PEPO) was registered in Police Station, Yaripora and investigation was taken up ; and

Whereas, during the course of investigation necessary documents viz. site plan was prepared, guard book in question seized and statements of witnesses under sections 161 & 164-A Cr. P. C. were recorded.

The record pertaining to the issuance of weapon in question was obtained from the issuing authority, which revealed that the weapon (SLR No. 16044591) was issued in favour of Constable Feroz Ahmad No. 558/Kgm posted in the said Bank. The investigation revealed that accused No. 1 had misappropriated the Government property (Weapon) issued to him which was later recovered on 07-09-2013 from a Nalla at Village Gunchall, Dangiora and to this effect recovery memo was prepared. This is particularly so because had the weapon been lost or stolen, the senior formations would definitely have been formed about such loss or theft, but the fact that a missing report was secretly entered in the guard book show the *mala fides* on part of the accused ; and

Whereas, the investigation further reveled that it was also the duty of the incharge guard Head Constable, Abdul Majeed No. 81/Kgm, to inform his seniors well in time, regarding misappropriation of Government property who however, deliberately has not disclosed the same facts to his seniors and has entered a missing report in the guard book ; and

Whereas, during the course of investigation, the involvement of accused persons Ab. Majeed Bhat S/o Gh. Mohammad Bhat R/o Nowgam, Srinagar (HC) No. 81/Kgm and Feroz Ahmad Ahanger S/o Mohammad Usman Ahanger R/o Kralwari, Chadoora, Budgam (Ct. No. 558/Kgm) was established in the commission of crime and the case was finalized against

the said accused persons under sections 409 RPC, 30 Police Act read with 03 PEPO of 2005 ; and

Whereas, Government after having examined the relevant records of the case is satisfied that *prima facie* a case under section 30 of Police Act, 1983 read with 03 PEPO of 2005 is made out against the accused persons, mentioned above on the basis of evidence collected during the course of investigation.

Now, therefore, in the exercise of powers conferred by section 5 of the Police Enhanced Penalties Ordinance, 2005, the Government hereby accords sanction for launching prosecution against the accused persons namely, Ab. Majeed Bhat S/o Gh. Mohammad Bhat R/o Nowgam, Srinagar (HC) No. 81/Kgm and Feroz Ahmad Ahanger S/o Mohammad Usman Ahanger R/o Kralwari S/o Chadoora, Budgam (Ct. No. 558/Kgm) for the commission of offences punishable under section 30 of Police Act read with section 03 PEPO, 2005 arising out of FIR No. 10/2011 of Police Station, Yaripora.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.